

### **REMARKS**

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 11-17 remain in the application.

### **ARGUMENT**

Claims 1-16 are rejected under 35 USC 102(e) as being anticipated by Lunetta, et al. (US 2001/0031102) (hereinafter Lunetta).

Claims 1-16 are rejected under 35 USC 102(e) as being anticipated by von Rosen, et al. (US 6,493,677) (hereinafter von Rosen).

Independent claims 11 and 14, as amended, include the limitation that the on-line consumer is provided with a mechanism to interactively create the personalized content in real-time to be applied to the image of the article of merchandise using a content creation application program provided by the merchant's server system. Lunetta and von Rosen both show that the personalized content (i.e., the decorative image, or logo image) may be *uploaded* by the consumer or *selected from a set of images already stored* on the server. Lunetta and von Rosen, however, do not teach or suggest that the consumer can interactively create the personalized content in real-time using a content creation application program provided by the merchant's server (e.g., as a web-accessible tool on the server's web site). Since the cited art does not teach or suggest this

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limitation, the independent claims, and all claims dependent therefrom, are allowable.

Claim 17 is rejected under 35 USC 103(a) as being unpatentable over Lunetta in view of Garfinkle, et al. (US 6,017,157).

Since claim 17 depends from allowable independent claim 11, it is also allowable.

Claim 17 is rejected under 35 USC 103(a) as being unpatentable over Von Rosen in view of Garfinkle, et al. (US 6,017,157).

Since claim 17 depends from allowable independent claim 11, it is also allowable.

### CONCLUSION

In view of the foregoing, Claims 11-17 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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